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EXAMINER

LOFDAHL, JORDAN M

ART UNIT

PAPER NUMBER

3644

DATE MAILED: 08/26/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/761,948

Applicant(s)

CUMMISKEY, CAROL

Examiner

Jordan Lofdahl

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- The MAILING DATE of this communication appears on the cover sheet with the correspondence address -

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 17 January 2001.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

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## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-40 are rejected under 35 U.S.C. 102(e) as being anticipated by Williams et al.

(US2002/0032573).

As to claim 1, Williams et al. discloses a method of receiving shipping information from a user via a device; comparing the received shipping information against prestored information; selecting at least one shipping carrier which matches the received shipping information and displaying the selected shipping carrier based on the shipping information (paragraphs [0018]-[0021]).

As to claim 2, disclosed is the method of receiving atleast one of the listed items in the instant claim (fig. 16).

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As to claim 3, disclosed is the method step of selecting at least one shipping carrier comprises the steps of retrieving an optimum shipping carrier and associated costs; and downloading the optimum shipping carrier and associated costs ([0018]-[0021]).

As to claim 4, disclosed is the method step of the instant claim (fig. 41 and 42).

As to claim 5, disclosed is user id and password (fig. 7).

As to claim 6, disclosed is accessing a website of the carrier [0111] and generating a shipping label [0024].

As to claim 7, is a GUI.

As to claim 8, disclosed the step of validating compatibility based on the received shipping information to determine whether a resulting optimum method is capable of meeting key parameters defined by the user.

As to claim 9, disclosed is guiding the user.

As to claim 10, disclosed is authenticating a user based on pre-defined criteria and launching at least one shipping wizard [0017-0588].

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As to claim 11, disclosed is additional authentication (fig. 7-11).

As to claim 12, disclosed is the method step as described in the instant claim.

As to claim 13, disclosed is the accessing a maintenance user interface after a user has been authenticated based on pre-defined criteria, and providing capabilities to the user to maintain the centralized database [0017-0030].

As to claim 14, disclosed is at least one step as disclosed in the instant claim [0184].

As to claim 15, disclosed is the downloading and displaying various performance metrics (fig. 41 and 42).

As to claim 16, disclosed is a client sub-system comprising a browser; a centralized database; a server sub-system configured to be coupled to said client configured to: received shipping information compare the information; and selecting a carrier; and displaying the carrier (fig. 1-40).

As to claims 17-40, the method steps of the instant claims are thoroughly and readily apparent during the operation of the system of Williams et al.

### ***Conclusion***

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jordan Lofdahl whose telephone number is 703.605.1217. The examiner can normally be reached on M-F 7-3.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Jordan can be reached on 703.306.4159. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703.306.4148.

jml

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